



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)

Hyun Jin Kim et al.)

Serial No.: 09/627,591)

Filed: July 28, 2000)

Title: GOLF BALLS)
INCORPORATING)
NANOCOMPOSITE AND/OR)
NANOFILLER MATERIALS)

Examiner: Not assigned

Group Art Unit: Not assigned

June 26, 2002

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OFFICE OF PETITIONS

**PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE AN
APPLICATION UNINTENTIONALLY ABANDONED**

Assistant Commissioner
for Patents
Washington D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.137(b), Applicants hereby petition to revive the above-identified application, which was abandoned for failure to timely or properly reply to the Notice to File Missing Parts mailed on September 18, 2000.

Title 37 C.F.R. § 1.137(b) requires that the petition be accompanied by:

- (1) the required reply, unless previously filed; (2) the petition fee as set forth in 1.17(m); (3) a statement that the entire delay in filing the required reply from the due

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date of the reply until the filing of a grantable petition was unintentional; and (4) any terminal disclaimer required pursuant to 37 C.F.R. § 137(c).

In support of this petition, Applicant submits herewith the following:

- (1) A copy of the Notice of Abandonment;
- (2) Authorization for charge to Deposit Account No. 19-1853 for payment of: the filing fee of \$1,396 in the application, as set forth in the Formalities Letter; the petition fee of \$1,280 as set forth in 37 C.F.R. § 1.17(m), and any other necessary fees.
- (3) A copy of the Notice to File Missing Parts;
- (4) Applicants' Response to the Notice to File Missing Parts, including copies of the following documents previously submitted in the Application: Declaration, Power of Attorney, check for fee for Assignment, Certificate of Mailing, and postcard; and

The Notice of Abandonment received, included as Item (1), indicates that "No reply was received" to the Notice of Missing Parts mailed in the Application. In response, Applicants include a copy of the Notice of Missing Parts received in the application as Item (3), as well as copies of the documents previously submitted in reply to the Notice of Missing Parts as Item (4).

In particular, it appears that Applicants' inadvertently failed to submit payment of the required filing fee when they previously submitted the Declaration, Power of Attorney, and Assignment in the application. Applicants now include

authorization for charge to Deposit Account No. 19-1853 for payment of any necessary fees as Item (2). As indicated in Item (2), Applicants authorize the Commissioner to charge Deposit Account No. 19-1853 to cover the filing fee, the petition fee, and any other fees required under 37 C.F.R. §§ 1.16 and 1.17.


Additionally, Applicants state that the entire delay in submitting the required Response to the Notice of Missing Parts, from the due date for submitting the item until the filing of this petition, was unintentional.

Applicants further do not believe that a terminal disclaimer is required pursuant to 37 C.F.R. § 137(c).

Applicants believe that all requirements under 37 C.F.R. § 1.47(a) are met by this petition. Granting of this petition is respectfully requested.

Respectfully submitted,

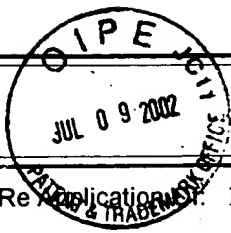
SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By: 
Oral Caglar
Registration No. 44,577

333 South Hope Street, 48th Floor
Los Angeles, California 90071
(213) 620-1780

Enclosures

\$DAC



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
EKM-74139

In Re Application of: **Hyun Jin Kim et al.**

ORIGINAL FILED
COPY OF PAPERS

Serial No. 09/627,591	Filing Date July 28, 2000	Examiner Not Assigned	Group Art Unit Not Assigned
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Title: **GOLF BALLS INCORPORATING NANOCOMPOSITE
AND/OR NANOFILLER MATERIALS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Petition Under 37 C.F.R. § 1.137(b) to Revive an Application Unintentionally Abandoned

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **19-1853** as described below. A duplicate copy of this sheet is enclosed.
 - ☒ Charge the amount of **\$2,676.00**
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.

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Signature

Dated: **June 26, 2002**

Oral Caglar, Esquire
Registration No. 44,577
Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 48th Floor
Los Angeles, California 90071
(213) 620-1780

I certify that this document and fee is being deposited on June 26, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
Signature of Person Mailing Correspondence	
Oral Caglar	
Typed or Printed Name of Person Mailing Correspondence	

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/627,591	07/28/2000	Hyun Jin Kim	EKM-74139

CONFIRMATION NO. 3648

Oral Caglar
SHEPPARD MULLIN RICHTER & HAMPTON LLP
333 South Hope Street 48th Floor
Los Angeles, CA 90071-1448ABANDONMENT/TERMINATION
LETTER

OC000000008104206

Date Mailed: 05/14/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/18/2000.

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- o No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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03 FC:105 130.00 CH

08/22/2002 AXELLEY 00000019 191853 09/27/99

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02 FC:103 342.00 CH